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Attorney for Plaintiff

JONATHAN SAPAN

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JONATHAN SAPAN,
individually and on Behalf of All Others
Similarly Situated

Plaintiff,

v.

YELP INC., a Delaware Corporation,

Defendant.

Case No.: 3:17-cv-03240-JD

**[PROPOSED] ORDER AND JOINT
STIPULATED REQUEST TO
MODIFY SCHEDULING ORDER**

Judge: Hon. James Donato

Pursuant to Local Rule 6-2 and 7-12, this stipulated request is made by and between Plaintiff Jonathan Sapan, on behalf of himself and all others similarly situated (“Plaintiff”), and Defendant Yelp Inc. (“Yelp”), through their respective counsel and in light of the following facts:

RECITALS

WHEREAS, on June 6, 2014, Plaintiff filed the initial class action complaint in this action (Dkt. 1);

WHEREAS, on August 31, 2018, fact discovery in this matter is ending;

WHEREAS, the Court set a trial date of February 11, 2019 and a pre-trial conference for January 17, 2019 (Dkt. 45);

WHEREAS, the parties request that the current deadlines set forth in the Court's Scheduling Order (Dkt. 45) be continued as follows:

<u>Case Event</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Fact Discovery Cut-off	August 31, 2018	November 1, 2018
Expert Disclosures	August 31, 2018	November 1, 2018
Expert Reports	September 28, 2018	November 1, 2018
Expert Rebuttal Reports	October 26, 2018	November 29, 2018
Expert Discovery Cut-off	November 16, 2018	December 14, 2018
Last Day to File Dispositive <i>Daubert</i> Motions	November 23, 2018	December 21, 2018
Pretrial Conference	January 17, 2019	Unchanged
Trial	February 11, 2019	Unchanged

WHEREAS, the parties respectfully submit and jointly represent to the Court that this requested continuance is not the result of any dilatory tactics or lack of diligence by the parties, nor is it the result of the parties' inability to work cooperatively;

WHEREAS, the requested continuance will not prejudice any party;

WHEREAS, the Parties have not previously requested such relief;

STIPULATED THEREFORE, and subject to the Court's approval, the parties agree through their respective attorneys to the following:

1. Fact discovery cut-off, currently set for August 31, 2018, is continued to November 1, 2018;

2. Expert disclosures, currently due on October 26, 2018, are continued to November 1, 2018;

3. Expert reports, currently due on September 28, 2018, are continued to November 1, 2018;

4. Expert rebuttal reports, currently due on September 28, 2018, are continued to November 29, 2018;

5. Expert discovery cut-off, currently set for November 16, 2018, is continued to December 14, 2018;

6. Last day to file *Daubert* motions, currently set for November 23, 2018, is continued to December 21, 2018; and,

7. All other deadlines set forth above and in the Court's Scheduling Order (Dkt. 45) remain unchanged.

All other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

IT IS SO STIPULATED.

DATED: August 31, 2018

ROCK LAW LLP

/s/ Jeffrey Cereghino, Esq.
Jeffrey Cereghino, Esq.
Attorneys for Plaintiff,
JONATHAN SAPAN, individually
and on Behalf of All Others Similarly
Situated

DATED: August 31, 2018

**MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, P.C.**

/s/ Nicole Ozeran, Esq.
Nicole Ozeran, Esq.,
Attorneys for Defendant,
YELP INC.

SIGNATURE ATTESTATION

In compliance with CAND ECF Policies and Procedures regarding Stipulations and Other Documents Requiring Multiple Signatures, I hereby attest that I have obtained the concurrence in the filing of this document from all signatories.

DATED: August 31, 2018

ROCK LAW LLP

/s/ Jeffrey Cereghino, Esq.
Jeffrey Cereghino, Esq.
Attorneys for Plaintiff,
JONATHAN SAPAN, individually
and on Behalf of All Others Similarly
Situated

[PROPOSED] ORDER

Based on the foregoing stipulated request, and good cause appearing therefor, the Court Orders as follows:

1. Fact discovery cut-off, currently August 31, 2018, is continued to November 1, 2018.
2. Expert disclosures, currently due on October 26, 2018, are continued to November 1, 2018.
3. Expert reports, currently due on September 28, 2018, are continued to November 1, 2018.
4. Expert rebuttal reports, currently due on September 28, 2018, are continued to November 29, 2018.
5. Expert discovery cut-off, currently November 16, 2018, is continued to December 14, 2018.
6. Last day to file *Daubert* motions, currently November 23, 2018, is continued to December 21, 2018.
7. All other deadlines set forth in the Court's Scheduling Order (Dkt. 45) remain unchanged.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

Hon. JAMES DONATO
U.S. District Judge